THE HON'BLE MR JUSTICE K.C. BHANU

On Wednesday, the twenty first day of September

Two thousand and five.

W.P. NO.1517 of 2005

B.R.S.Chowdari.

…….Petitioner.

And

The Assistant Commissioner of Police,

Banjara Hills Police Station, Hyderabad and another.

……Respondents.

O R D E R:

The present writ petition is filed by the petitioner, seeking declaration that the action of the 1st respondent in registering the Crime No.521/2004 for the offence under Section 3(i)(x) of the S.C. & S.T. (Prevention of Atrocities) Act, (for short 'the Act'), even though no such offence is made out and proceeding with further investigation, as illegal.

None appears for the petitioner.

Heard the learned Government Pleader for Home and the learned counsel for the 2nd respondent.

As seen from the affidavit of the writ petitioner, the case of the petitioner is that he made a complaint to the Banjara Hills Police Station on 22.3.2004, against two persons i.e. Ravinder and Gnaneshwar, when they attempted to kill him along with their gang and since police did not take any action against the said persons, he approached the Director General of Police on 1.4.2004, thereafter the 1st respondent recorded his statement and when the police taking action against the accused, one of the accused therein filed a private complaint against the petitioner before the V-Metropolitan Magistrate who in turn referred the case to the Banjara Hills P.S. for filing report.

Therefore, it is clear that as to whether the case filed against the petitioner is a false case or not, it is for the respondents to take appropriate action in the crime and it is not out of place to mention that the police are having statutory powers to investigate in the matter, and that statutory power cannot be curtailed.

Hence, the writ petition is devoid of merits and is dismissed. No costs.

Justice K.C.BHANU.

21st September 2005.

BCS